

**CITY OF BALTIMORE  
COUNCIL BILL 18-0293  
(First Reader)**

---

Introduced by: The Council President

At the request of: The Administration (Visit Baltimore)

Introduced and read first time: October 15, 2018

Assigned to: Taxation, Finance and Economic Development Committee

---

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Baltimore Development Corporation, Department of Housing and Community Development, Department of Finance, Visit Baltimore

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Baltimore Tourism Improvement District – Establishment**

3 FOR the purpose of establishing the Baltimore Tourism Improvement District; specifying the  
4 boundaries of the District; designating an Association and providing for its rights, duties, and  
5 powers; designating the District Management Committee and providing for its rights, duties,  
6 and powers; mandating the financial responsibilities of the Association and the City in  
7 conjunction with the operation of the District; providing for the assessment, collection, and  
8 enforcement of a supplemental assessment to be collected by the City for the Association;  
9 specifying the City’s role in maintaining existing tourism funding to the Association;  
10 designating the Board of Estimates as the agency charged with reviewing and approving  
11 various matters relating to the District, the Association, and the District Management  
12 Committee; providing for the renewal, expiration, termination, and approval of the District  
13 and the Association; providing for a special effective date; and generally relating to the  
14 existence, operation, and control of the Baltimore Tourism Improvement District.

15 BY authority of

16 Article II - General Powers  
17 Section 70  
18 Baltimore City Charter  
19 (1996 Edition)

20 BY adding

21 Article 14 - Special Benefits Districts  
22 Sections 20-1 to 20-17, to be under the new subtitle designation,  
23 “Subtitle 20. Baltimore Tourism Improvement District”  
24 Baltimore City Code  
25 (Edition 2000)

26 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
27 Laws of Baltimore City read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 18-0293**

**Baltimore City Code**

**Article 14. Special Benefits Districts**

**SUBTITLE 20. BALTIMORE TOURISM IMPROVEMENT DISTRICT**

**§ 20-1. DEFINITIONS.**

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *ASSOCIATION.*

“ASSOCIATION” MEANS AN EXISTING PRIVATE NONPROFIT DESTINATION MARKETING ORGANIZATION THAT PROMOTES TOURISM TO BALTIMORE CITY AND THE CONVENTION CENTER IN ORDER TO INCREASE THE NUMBER OF VISITORS TO THE CITY THAT IS DESIGNATED AS THE TOURISM IMPROVEMENT DISTRICT ASSOCIATION IN ACCORDANCE WITH THIS SUBTITLE.

(C) *BOARD.*

“BOARD” MEANS THE BOARD OF DIRECTORS OF THE ASSOCIATION.

(D) *ASSESSED BUSINESS.*

“ASSESSED BUSINESS” MEANS ANY “HOTEL” AS DEFINED IN CITY CODE ARTICLE 28, § 21-1(C).

(E) *DISTRICT.*

“DISTRICT” MEANS THE BALTIMORE TOURISM IMPROVEMENT DISTRICT.

(F) *DISTRICT MANAGEMENT COMMITTEE.*

“DISTRICT MANAGEMENT COMMITTEE” MEANS A COMMITTEE OF THE BOARD WITH DELEGATED AUTHORITY REGARDING THE MANAGEMENT OF THE DISTRICT ON BEHALF OF THE ASSOCIATION, INCLUDING THE POWER TO DIRECT THE EXPENDITURE OF DISTRICT FUNDS.

(G) *DISTRICT SPECIAL ASSESSMENT.*

“DISTRICT SPECIAL ASSESSMENT” MEANS A SPECIAL ASSESSMENT LEVIED ON ASSESSED BUSINESSES.

(H) *ENABLING LEGISLATION.*

“ENABLING LEGISLATION” MEANS ARTICLE II, § 70 OF THE CHARTER OF BALTIMORE CITY, AS ENACTED INTO LAW BY CHAPTER 641 OF THE LAWS OF MARYLAND (2018), AS THE SAME MAY BE AMENDED FROM TIME TO TIME.

**Council Bill 18-0293**

1 (i) *FINANCIAL PLAN.*

2 “FINANCIAL PLAN” MEANS THE FINANCIAL PLAN, INCLUDING THE BUDGET AND DISTRICT  
3 SPECIAL ASSESSMENT TO BE LEVIED ON ASSESSED BUSINESSES, AS ADOPTED AND  
4 APPROVED ON AN ANNUAL BASIS AS SET FORTH IN THIS SUBTITLE.

5 (j) *NON-ASSESSED BUSINESS.*

6 “NON-ASSESSED BUSINESS” MEANS ANY BUSINESS IN THE DISTRICT THAT IS NOT AN  
7 ASSESSED BUSINESS.

8 **§ 20-2. FINDINGS.**

9 (A) *IN GENERAL.*

10 THE FOLLOWING FINDINGS ARE CRITICAL TO THE EXERCISE OF THE AUTHORITY SET FORTH  
11 IN THE ENABLING LEGISLATION.

12 (B) *IMPORTANCE OF TOURISM IN BALTIMORE.*

13 (1) TOURISM IS A MAJOR CONTRIBUTOR TO BALTIMORE’S ECONOMY, WITH VISITOR  
14 SPENDING GENERATING APPROXIMATELY \$10 BILLION ANNUALLY IN TOTAL INDUSTRY  
15 SALES . THIS ACTIVITY GENERATES \$290 MILLION IN TAXES AND FEES TO THE CITY OF  
16 BALTIMORE ANNUALLY, REVENUE THAT SUPPORTS VALUABLE CITY SERVICES, WHILE  
17 ALSO SAVING EACH BALTIMORE HOUSEHOLD \$680 IN ANNUAL PERSONAL TAX  
18 CONTRIBUTIONS.

19 (2) TOURISM IS A MAJOR EMPLOYER IN BALTIMORE, CREATING OR SUSTAINING MORE  
20 THAN 85,000 JOBS FOR CITY RESIDENTS AND ACROSS THE REGION EACH YEAR.

21 (3) IN ADDITION TO GENERATING JOBS AND TAX REVENUES, A THRIVING TOURISM  
22 INDUSTRY BENEFITS BALTIMORE BY SUSTAINING AIR TRAVEL, CREATING FAMILIARITY,  
23 ATTRACTING DECISION MAKERS AS WELL AS FUTURE RESIDENTS AND WORKERS, AND  
24 IMPROVING THE QUALITY OF LIFE FOR ALL RESIDENTS.

25 (C) *OPPORTUNITIES FOR TOURISM IN BALTIMORE.*

26 (1) FUNDING FOR BALTIMORE CONVENTION SALES AND TOURISM PROMOTION IS  
27 ALLOCATED BY LAW TO VISIT BALTIMORE, INC., A PRIVATE AND INDEPENDENT NOT-  
28 FOR-PROFIT, NON-STOCK CORPORATION, IN THE FORM OF A PERCENTAGE SHARE OF THE  
29 CITY HOTEL OCCUPANCY TAX COLLECTION. THIS ORGANIZATION HAS BEEN  
30 HISTORICALLY UNDER-RESOURCED IN AN INCREASINGLY COMPETITIVE TOURISM  
31 MARKET. FOR EXAMPLE, MARKET RESEARCH QUANTIFIES A LACK OF OVERALL  
32 AWARENESS ABOUT AND INTEREST IN BALTIMORE AS A PREFERRED TOURISM  
33 DESTINATION. THESE CHALLENGES CAN BE ADDRESSED THROUGH INCREASED SALES  
34 AND MARKETING ACTIVITIES.

35 (2) VISIT BALTIMORE IS POISED TO DELIVER THE ENHANCED MARKETING AND SALES  
36 INFRASTRUCTURE REQUIRED TO GENERATE IMPACT PENDING SUFFICIENT RESOURCES –  
37 AND THE HOTEL COMMUNITY HAS IDENTIFIED AN OPPORTUNITY FOR A SELF-FUNDING

## Council Bill 18-0293

1 AND INDUSTRY-MANAGED MECHANISM, INVOLVING NO NEW TAXES FOR LOCAL  
2 RESIDENTS, TO SUPPORT THESE PROGRAMS.

- 3 (3) THE ULTIMATE GOAL OF THESE PROGRAMS WILL BE TO DRIVE INCREASED OVERNIGHT  
4 VISITATION, IN TURN, SUPPORTING THE BOTTOM LINE OF NOT ONLY THE CITY'S HOTEL  
5 COMMUNITY, BUT ALSO, BENEFITTING ALL VISITOR-FACING BUSINESSES AS WELL AS  
6 CITY RESIDENTS THROUGH ADDITIONAL ECONOMIC AND QUALITY OF LIFE BENEFITS  
7 FOR THE CITY OF BALTIMORE.

8 (D) *CONCEPT OF TOURISM IMPROVEMENT DISTRICT.*

- 9 (1) A TOURISM IMPROVEMENT DISTRICT IS A PROVEN MECHANISM BY WHICH ASSESSED  
10 BUSINESS OWNERS WITHIN A DEFINED AREA CAN AGREE TO IMPOSE A SPECIAL  
11 ASSESSMENT ON THEMSELVES IN ORDER TO PROVIDE ENHANCED AND SUPPLEMENTAL  
12 SERVICES DESIGNED TO INCREASE TOURISM WITHIN THE DISTRICT AND BENEFIT THE  
13 ASSESSED BUSINESSES PAYING THE SPECIAL ASSESSMENT.
- 14 (2) TOURISM IMPROVEMENT DISTRICTS HAVE BEEN CREATED IN OVER 160 DESTINATIONS  
15 IN 14 STATES ACROSS THE COUNTRY, AND THE REPORTS RECEIVED SUGGEST THAT  
16 THEY ARE ALMOST UNIFORMLY HIGHLY SUCCESSFUL IN ACHIEVING THEIR OBJECTIVES.
- 17 (3) CRITICAL TO ANY TOURISM IMPROVEMENT DISTRICT IS THE CREATION OF A  
18 PARTNERSHIP BETWEEN THE PUBLIC AND PRIVATE SECTOR, WITH THE PUBLIC SECTOR  
19 COMMITTING TO MAINTAIN FUNDING FOR TOURISM PROMOTION SERVICES AT SPECIFIED  
20 LEVELS AND THE PRIVATE SECTOR AGREEING TO ACCEPT NEW SPECIAL ASSESSMENTS  
21 FOR THE PURPOSE OF SUPPLEMENTING PUBLICLY FUNDED TOURISM PROMOTION  
22 SERVICES.
- 23 (4) A TOURISM IMPROVEMENT DISTRICT IN THIS CITY CANNOT BE SUCCESSFUL WITHOUT  
24 THE FULL COOPERATION OF THE CITY AND THE ASSESSED BUSINESSES WITHIN THE  
25 DISTRICT.

26 (E) *CONSIDERATIONS.*

- 27 (1) THE COUNCIL HAS CONSIDERED THE MATERIALS COMPILED BY VISIT BALTIMORE  
28 REGARDING THE CREATION OF THE BALTIMORE TOURISM IMPROVEMENT DISTRICT  
29 AND THE PATTERN OF SUCCESS FOR SUCH DISTRICTS ELSEWHERE.
- 30 (2) THE COUNCIL FINDS THAT ESTABLISHING THE BALTIMORE TOURISM IMPROVEMENT  
31 DISTRICT IS AN IMPORTANT AND VITAL ELEMENT OF THE LONG-TERM HEALTH AND  
32 GROWTH OF CITY'S TOURISM INDUSTRY AND THE CITY.
- 33 (3) THE COUNCIL FINDS THAT A SPECIAL ASSESSMENT SYSTEM FOR THE BALTIMORE  
34 TOURISM IMPROVEMENT DISTRICT SHOULD BE UNCOMPLICATED, DIRECT, AND FAIR.  
35 THE SYSTEM PROVIDED FOR IN THIS SUBTITLE SATISFIES SUCH CRITERIA.
- 36 (4) THE COUNCIL FINDS THAT THE BALTIMORE TOURISM IMPROVEMENT DISTRICT  
37 SHOULD ENCOURAGE THE INVOLVEMENT OF MINORITIES IN THE OPERATION OF THE  
38 DISTRICT AND IN THE BUSINESS COMMUNITY ITSELF.

**Council Bill 18-0293**

1 **§ 20-3. DISTRICT CREATED; BOUNDARIES.**

2 (A) *IN GENERAL.*

3 THERE IS A TOURISM IMPROVEMENT DISTRICT, TO BE KNOWN AS THE “BALTIMORE  
4 TOURISM IMPROVEMENT DISTRICT” (THE “DISTRICT”).

5 (B) *BOUNDARIES.*

6 THE BOUNDARIES OF THE DISTRICT ARE THE SAME AS THE CORPORATE BOUNDARIES OF  
7 THE CITY OF BALTIMORE.

8 **§ 20-4. ASSOCIATION DESIGNATED.**

9 (A) *ASSOCIATION DESIGNATED.*

10 VISIT BALTIMORE, INC. IS HEREBY DESIGNATED AS THE DISTRICT’S ASSOCIATION.

11 (B) *GOVERNING BODY.*

12 THE GOVERNING BODY OF THE ASSOCIATION IS SHALL BE ITS BOARD OF DIRECTORS.

13 (C) *PURPOSE.*

14 THE PURPOSE OF THE ASSOCIATION REGARDING THE DISTRICT IS TO:

- 15 (1) ADMINISTER THE DISTRICT PROGRAMS AND ACTIVITIES;  
16 (2) PROMOTE AND MARKET THE DISTRICT; AND  
17 (3) PROVIDE OTHER MARKETING, PROMOTION, AND DESTINATION DEVELOPMENT  
18 SERVICES, PROVIDED THAT THE SERVICES AND FUNCTION SHALL BE PROVIDED  
19 WITHIN THE DISTRICT, OR, WITHIN AREAS ADJOINING OR ADJACENT TO THE  
20 DISTRICT.

21 **§ 20-5. POWERS AND FUNCTIONS OF ASSOCIATION.**

22 (A) *GENERALLY.*

23 THE ASSOCIATION MAY EXERCISE ONLY THOSE POWERS REGARDING THE DISTRICT THAT  
24 ARE PROVIDED FOR IN THIS SUBTITLE.

25 (B) *AUTHORIZED ACTIONS.*

26 THE ASSOCIATION SHALL HAVE THE POWER TO:

- 27 (1) CONDUCT DISTRICT PROGRAMS AND ACTIVITIES, PROMOTE AND MARKET THE  
28 DISTRICT, AND PROVIDE OTHER MARKETING, PROMOTION, AND DESTINATION  
29 DEVELOPMENT SERVICES;

**Council Bill 18-0293**

1 (2) ACQUIRE, HOLD, AND USE PROPERTY NECESSARY TO ACHIEVE THE DISTRICT'S  
2 PURPOSES;

3 (3) ENTER INTO CONTRACTS FOR THE PROVISION OF DISTRICT SERVICES;

4  
5 (4) SUE AND BE SUED;

6 (5) BORROW AND ACCEPT GRANTS;

7 (6) EMPLOY AND DISCHARGE PERSONNEL;

8 (7) PROPOSE, IN THE DISTRICT'S FINANCIAL PLAN, THE DISTRICT SPECIAL  
9 ASSESSMENTS IN ACCORDANCE WITH § 20-8 OF THIS SUBTITLE;

10 (8) ADOPT, AMEND, AND MODIFY BYLAWS OF THE DISTRICT MANAGEMENT  
11 COMMITTEE, SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES;

12 (9) ESTABLISH AND ELECT OFFICERS, AND PROVIDE FOR THE TERMS OF OFFICE AND  
13 DUTIES OF THE OFFICERS;

14 (10) CONTRACT FOR AND PURCHASE GOODS AND SERVICES IN ACCORDANCE WITH  
15 CITY ORDINANCES AND POLICY REQUIRING ACHIEVEMENT OF GOALS REGARDING  
16 MINORITY AND WOMEN'S BUSINESS ENTERPRISES; AND

17 (11) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF  
18 THE DISTRICT UNDER THIS SUBTITLE.

19 (C) *INTERPRETATION OF POWERS.*

20 THE POWERS OF THE ASSOCIATION SHALL BE BROADLY INTERPRETED IN ORDER TO ALLOW  
21 THE ASSOCIATION TO ACHIEVE THE GOALS OF THE ENABLING LEGISLATION.

22 **§ 20-6. LIMITATIONS ON ASSOCIATION.**

23 (A) *NOT AN AGENCY OF CITY OR STATE.*

24 (1) THE ASSOCIATION IS NOT AND MAY NOT BE DEEMED AN AGENCY OF THE MAYOR AND  
25 CITY COUNCIL OF BALTIMORE OR OF THE STATE OF MARYLAND.

26 (2) THE OFFICERS AND EMPLOYEES OF THE ASSOCIATION ARE NOT AND MAY NOT ACT AS  
27 AGENTS OR EMPLOYEES OF THE MAYOR AND CITY COUNCIL OF BALTIMORE OR OF THE  
28 STATE OF MARYLAND.

29 (B) *UNAUTHORIZED ACTIONS.*

30 (1) THE ASSOCIATION MAY NOT EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN  
31 THOSE AUTHORIZED BY STATE LAW OR CITY ORDINANCE.

32 (2) THE ASSOCIATION MAY NOT PLEDGE THE FULL FAITH OR CREDIT OF THE CITY.

**Council Bill 18-0293**

1 (3) THE ASSOCIATION MAY NOT IMPOSE ANY DISTRICT SPECIAL ASSESSMENTS IN EXCESS  
2 OF THOSE APPROVED BY THE BOARD OF ESTIMATES.

3  
4 (4) THE ASSOCIATION MAY NOT EXERCISE THE POWER OF EMINENT DOMAIN.

5 (5) EXCEPT AS OTHERWISE PROVIDED IN § 20-17 OF THIS SUBTITLE, THE ASSOCIATION  
6 MAY NOT REVERT CHARGES OR DISTRICT SPECIAL ASSESSMENTS COLLECTED TO THE  
7 GENERAL FUND OF THE CITY.

8 **§ 20-7. DISTRICT MANAGEMENT COMMITTEE.**

9 (A) *IN GENERAL.*

10 (1) THE DISTRICT MANAGEMENT COMMITTEE SHALL BE A COMMITTEE OF THE  
11 ASSOCIATION'S BOARD.

12 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, ANY AND ALL POWERS  
13 AND AUTHORITY OF THE ASSOCIATION OR ITS BOARD REGARDING THE MANAGEMENT  
14 OF THE DISTRICT INCLUDING, WITHOUT LIMITATION, THE POWER TO DIRECT THE  
15 EXPENDITURE OF DISTRICT FUNDS, SHALL BE DELEGATED TO, AND SHALL BE  
16 EXERCISED BY, THE DISTRICT MANAGEMENT COMMITTEE.

17 (B) *COMPOSITION.*

18 (1) THE VOTING MEMBERS OF THE DISTRICT MANAGEMENT COMMITTEE SHALL BE  
19 DISTRICT ASSESSED BUSINESS OWNERS, OR, WHEN THE DISTRICT ASSESSED BUSINESS  
20 OWNER IS A CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, TRUST, OR  
21 ANY OTHER LEGAL ENTITY, REPRESENTATIVES OF THE DISTRICT ASSESSED BUSINESS  
22 OWNERS OF AN ASSESSED BUSINESS IN THE DISTRICT THAT IS SUBJECT TO THE  
23 DISTRICT SPECIAL ASSESSMENTS UNDER THIS SUBTITLE.

24 (2) THE DISTRICT MANAGEMENT COMMITTEE SHALL INCLUDE OWNERS OR  
25 REPRESENTATIVES OF DISTRICT ASSESSED BUSINESSES WITH 1-75 ROOMS, ASSESSED  
26 BUSINESSES WITH 76-200 ROOMS, AND ASSESSED BUSINESSES WITH 201 ROOMS AND  
27 MORE.

28 (3) THE DISTRICT MANAGEMENT COMMITTEE SHALL INCLUDE OWNERS OR  
29 REPRESENTATIVES OF DISTRICT ASSESSED BUSINESSES FROM DIVERSE GEOGRAPHIC  
30 AREAS THROUGHOUT THE DISTRICT.

31 (C) *TERMS.*

32 THE TERMS OF THE MEMBERS OF THE DISTRICT MANAGEMENT COMMITTEE MAY BE  
33 STAGGERED FROM TIME TO TIME IN ORDER TO PROMOTE BOTH ROTATION OF NEW  
34 MEMBERS AND CONTINUITY OF GOVERNANCE.

35 (D) *DUTIES.*

36 (1) THE DISTRICT MANAGEMENT COMMITTEE SHALL HAVE THE POWER TO DIRECT THE  
37 EXPENDITURE OF DISTRICT FUNDS.

**Council Bill 18-0293**

1 (2) THE DISTRICT MANAGEMENT COMMITTEE MAY DELEGATE TO THE PRESIDENT AND  
2 CHIEF EXECUTIVE OFFICER OF THE ASSOCIATION THE AUTHORITY TO DISCHARGE  
3 DISTRICT MANAGEMENT COMMITTEE DUTIES DEEMED APPROPRIATE AND NECESSARY  
4 BY THE DISTRICT MANAGEMENT COMMITTEE IN ACCORDANCE WITH § 20-8 OF THIS  
5 SUBTITLE.

6 (E) *BYLAWS.*

7 SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES, THE DISTRICT MANAGEMENT  
8 COMMITTEE MAY ADOPT BYLAWS AS IT CONSIDERS NECESSARY TO CARRY OUT THE  
9 POWERS OF THE DISTRICT MANAGEMENT COMMITTEE.

10 (F) *CHAIR OF THE DISTRICT MANAGEMENT COMMITTEE.*

11 (1) THE DISTRICT MANAGEMENT COMMITTEE SHALL SELECT FROM AMONG ITS MEMBERS  
12 AN INDIVIDUAL TO SERVE AS THE CHAIR OF THE DISTRICT MANAGEMENT COMMITTEE.

13 (2) THE CHAIR SHALL SERVE AT THE PLEASURE OF THE DISTRICT MANAGEMENT  
14 COMMITTEE.

15 (3) THE DISTRICT MANAGEMENT COMMITTEE MAY DELEGATE TO THE CHAIR THOSE  
16 POWERS AND RESPONSIBILITIES THAT THE DISTRICT MANAGEMENT COMMITTEE  
17 CONSIDERS APPROPRIATE.

18 (G) *QUORUM; VOTING.*

19 EXCEPT AS MAY OTHERWISE BE PROVIDED IN THE DISTRICT MANAGEMENT COMMITTEE'S  
20 BYLAWS:

21 (1) AT ANY MEETING OF THE DISTRICT MANAGEMENT COMMITTEE, A MAJORITY OF  
22 THE COMMITTEE MEMBERS SHALL CONSTITUTE A QUORUM; AND

23 (2) THE AFFIRMATIVE VOTE OF A MAJORITY OF COMMITTEE MEMBERS VOTING AT A  
24 MEETING FOR WHICH A QUORUM IS PRESENT IS REQUIRED TO APPROVE ANY ACTION  
25 BY THE DISTRICT MANAGEMENT COMMITTEE.

26 **§ 20-8. ANNUAL FINANCIAL PLAN.**

27 (A) *DISTRICT MANAGEMENT COMMITTEE TO ADOPT.*

28 THE DISTRICT MANAGEMENT COMMITTEE SHALL ADOPT AN ANNUAL FINANCIAL PLAN,  
29 BASED ON THE CITY'S FISCAL YEAR, CONSISTING OF AT LEAST A BUDGET AND A PROPOSED  
30 DISTRICT SPECIAL ASSESSMENT TO BE LEVIED ON ASSESSED BUSINESSES.

31 (B) *PUBLIC HEARING.*

32 BEFORE ADOPTING THE FINANCIAL PLAN AND MAKING RECOMMENDATIONS TO THE CITY,  
33 THE DISTRICT MANAGEMENT COMMITTEE SHALL ARRANGE FOR A PUBLIC HEARING ON  
34 THE PROPOSED FINANCIAL PLAN. NOTICE OF THE HEARING MUST BE PUBLISHED IN A



**Council Bill 18-0293**

1 NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A WEEK FOR 3  
2 CONSECUTIVE WEEKS.

3 (C) *BOARD OF ESTIMATES APPROVAL REQUIRED.*

4 THE DISTRICT MANAGEMENT COMMITTEE MAY NOT APPROVE A FINANCIAL PLAN THAT  
5 INCLUDES DISTRICT SPECIAL ASSESSMENT IN EXCESS OF THOSE APPROVED BY THE BOARD  
6 OF ESTIMATES.

7 **§ 20-9. TOURISM IMPROVEMENT DISTRICT SPECIAL ASSESSMENT.**

8 (A) *BOARD OF ESTIMATES TO DETERMINE ASSESSABLE BASE.*

9 (1) THE BOARD OF ESTIMATES SHALL OBTAIN FROM THE DIRECTOR OF FINANCE THE  
10 "ASSESSABLE BASE" OF THE DISTRICT, WHICH SHALL INCLUDE A LISTING BY  
11 INDIVIDUAL ASSESSED BUSINESS AND A CALCULATION OF THE SUM OF ASSESSMENTS  
12 ON ASSESSED BUSINESSES SUBJECT TO THE DISTRICT SPECIAL ASSESSMENT.

13 (2) THE DISTRICT SPECIAL ASSESSMENT SHALL BE LEVIED ON ALL ASSESSED BUSINESSES  
14 AT A UNIFORM RATE.

15 (3) THE BOARD OF ESTIMATES SHALL ENSURE THAT THE DISTRICT SPECIAL ASSESSMENT  
16 PROPOSED IN THE FINANCIAL PLAN IS SUFFICIENT TO PAY FOR THE ANNUAL EXPENSES  
17 OF THE DISTRICT.

18 (4) THE BOARD OF ESTIMATES SHALL DETERMINE WITH FINALITY THE ASSESSABLE BASE  
19 ON WHICH THE DISTRICT SPECIAL ASSESSMENT WILL BE LEVIED.

20 (B) *ASSESSMENT; COLLECTION; ENFORCEMENT.*

21 (1) FUNDING FOR ASSOCIATION OPERATIONS SHALL BE PROVIDED BY THE DISTRICT  
22 SPECIAL ASSESSMENT LEVIED ON ASSESSED BUSINESSES AS DETERMINED UNDER  
23 SUBSECTION (A) OF THIS SECTION.

24 (2) THE DISTRICT SPECIAL ASSESSMENT SHALL BE ASSESSED AND COLLECTED IN  
25 CONJUNCTION WITH THE CITY HOTEL TAX ASSESSED AND COLLECTED BY THE CITY,  
26 UNLESS OTHERWISE ESTABLISHED BY THE BOARD OF ESTIMATES.

27 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE:

28 (I) THE DISTRICT SPECIAL ASSESSMENT SHALL BE ENFORCED IN THE SAME WAY AS  
29 THE CITY HOTEL TAX IS ENFORCED; AND

30 (II) ALL PROVISIONS THAT APPLY TO ASSESSMENTS, REFUNDS, COLLECTIONS AND  
31 ENFORCEMENT OF THE CITY HOTEL TAX SHALL APPLY TO THE DISTRICT SPECIAL  
32 ASSESSMENT.

33 (C) *DETERMINATION OF DISTRICT SPECIAL ASSESSMENT.*

34 THE DISTRICT SPECIAL ASSESSMENT SHALL BE DETERMINED AS FOLLOWS:

**Council Bill 18-0293**

1 (1) THE RATE OF ANY DISTRICT SPECIAL ASSESSMENT MUST BE APPROVED BY A TWO-  
2 THIRDS VOTE OF THE DISTRICT MANAGEMENT COMMITTEE’S MEMBERS VOTING AT A  
3 MEETING AT WHICH A QUORUM IS PRESENT.

4 (2) FOR THE FIRST FULL BUDGET YEAR, THE RATE OF THE DISTRICT SPECIAL ASSESSMENT  
5 SHALL BE SET TO RAISE REVENUES ESTIMATED TO EQUAL THE COSTS OF ESTABLISHING  
6 THE DISTRICT AND IMPLEMENTING THE INITIAL FINANCIAL PLAN.

7 (3) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, FOR ANY YEAR AFTER THE FIRST  
8 FULL BUDGET YEAR, THE RATE OF THE DISTRICT SPECIAL ASSESSMENT MAY BE  
9 ADJUSTED TO YIELD REVENUES ESTIMATED TO EQUAL THE COSTS OF ADMINISTERING  
10 THE DISTRICT AS SET FORTH IN THE FINANCIAL PLAN.

11 (D) *EXEMPTIONS FROM DISTRICT SPECIAL ASSESSMENT.*

12 ALL EXEMPTIONS THAT EXIST FOR THE CITY HOTEL TAX SHALL APPLY TO THE DISTRICT  
13 SPECIAL ASSESSMENT.

14 (E) *ASSESSED BUSINESSES AUTHORIZED TO PASS DISTRICT SPECIAL ASSESSMENT ON TO*  
15 *CUSTOMERS.*

16 (1) THE DISTRICT SPECIAL ASSESSMENT IS LEVIED UPON AND IS A DIRECT, SOLE  
17 OBLIGATION OF THE ASSESSED BUSINESS.

18 (2) THE ASSESSED BUSINESS MAY, IN ITS DISCRETION, PASS THE DISTRICT SPECIAL  
19 ASSESSMENT ON TO ITS CUSTOMERS, PROVIDED THAT:

20 (I) THE AMOUNT OF THE DISTRICT SPECIAL ASSESSMENT IS DISCLOSED IN ADVANCE TO  
21 THE CUSTOMER AND SEPARATELY STATED FROM THE AMOUNT OF CONSIDERATION  
22 CHARGED AND ANY OTHER APPLICABLE TAXES; AND

23 (II) EACH CUSTOMER RECEIVES A RECEIPT FOR PAYMENT FROM THE ASSESSED  
24 BUSINESS DISCLOSING THE DISTRICT SPECIAL ASSESSMENT PAYMENT AS THE  
25 “BALTIMORE TOURISM ASSESSMENT.”

26 **§ 20-10. BASELINE CITY FUNDING.**

27 (A) *AGREEMENT TO MAINTAIN.*

28 TO THE EXTENT OF ITS AUTHORITY, THE CITY SHALL MAINTAIN THE REQUISITE LEVEL OF  
29 FUNDING OF THE ASSOCIATION AS SET FORTH IN THE BALTIMORE CITY CHARTER ARTICLE  
30 II, § 40(E) AND CITY CODE ARTICLE 28, § 21-2.

31 (B) *DISTRICT FUNDING AND SERVICES.*

32 (1) TO THE EXTENT OF THEIR AUTHORITY, THE MAYOR AND CITY COUNCIL OF  
33 BALTIMORE MAY NOT PERMIT A REDUCTION IN THE EXISTING FUNDING PROVIDED BY  
34 THE CITY IN THE DISTRICT DUE TO THE ESTABLISHMENT OF THE DISTRICT OR THE  
35 DESIGNATION OF THE ASSOCIATION.

**Council Bill 18-0293**

1 (2) TO THE EXTENT OF THEIR AUTHORITY, THE MAYOR AND CITY COUNCIL OF  
2 BALTIMORE MAY NOT PERMIT A REDUCTION IN THE SERVICES PROVIDED BY THE CITY  
3 IN THE DISTRICT DUE TO THE ESTABLISHMENT OF THE DISTRICT OR THE DESIGNATION  
4 OF THE ASSOCIATION.

5 (C) *GOVERNING PRINCIPLES.*

6 THE MAINTENANCE OF EXISTING FUNDING SHALL BE GOVERNED BY 2 PRINCIPLES:

7 (1) BASELINE FUNDING MAY NOT BE DECREASED EXCEPT:

8 (I) AS PART OF AN OVERALL DECREASE IN FUNDING NECESSITATED BY DECREASES  
9 OF CITY HOTEL TAX REVENUE AND COLLECTIONS; AND

10 (II) ONLY IN PROPORTION TO THE DECREASES OF THE CITY HOTEL TAX REVENUE  
11 AND COLLECTIONS.

12 (2) ANY INCREASE IN THE CITY HOTEL TAX REVENUE AND COLLECTIONS SHALL BE  
13 MATCHED WITH INCREASES IN FUNDING TO THE ASSOCIATION, IN PROPORTION TO  
14 THE INCREASES OF THE CITY HOTEL TAX REVENUE AND COLLECTIONS.

15 **§ 20-11. PARTNERSHIPS.**

16 (A) *ASSOCIATION ENCOURAGED TO CREATE.*

17 THE ASSOCIATION IS AUTHORIZED AND ENCOURAGED TO ENTER INTO PARTNERSHIPS WITH  
18 BOTH NON-ASSESSED BUSINESSES AND WITH LODGING AND OTHER BUSINESSES IN  
19 ADJOINING AREAS OUTSIDE OF THE CORPORATE BOUNDARIES OF THE CITY OF BALTIMORE  
20 (“EXEMPT PARTNERS”) FOR THE PURPOSE OF FURTHERING THE BROAD OBJECTIVES OF  
21 INCREASING TOURISM IN THE DISTRICT AND ADJOINING AREAS.

22 (B) *SPECIFIC POWERS.*

23 IN FURTHERANCE OF THAT OBJECTIVE, THE ASSOCIATION MAY:

24 (1) CONTRACT TO PROVIDE VARYING LEVELS OF SERVICES TO NON-ASSESSED  
25 BUSINESSES IN AREAS ADJOINING THE DISTRICT;

26 (2) AGREE TO ACCEPT DONATIONS, CONTRIBUTIONS, AND OTHER VOLUNTARY  
27 PAYMENTS OF ANY KIND FROM EXEMPT PARTNERS (COLLECTIVELY, “VOLUNTARY  
28 PAYMENTS”), WITH OR WITHOUT AGREEMENTS REGARDING SPECIFIC SERVICES AND  
29 FUNCTIONS;

30 (3) ENTER INTO AGREEMENTS WITH EXEMPT PARTNERS TO INCLUDE NON-ASSESSED  
31 BUSINESSES OWNED BY THOSE EXEMPT PARTNERS WITHIN OR ADJOINING TO THE  
32 DISTRICT IN RETURN FOR VOLUNTARY PAYMENTS OR COMMITMENTS REGARDING  
33 THE PROVISION OF SIMILAR SERVICES AND FUNCTIONS FOR THE BENEFIT OF NON-  
34 ASSESSED BUSINESSES OWNED BY EXEMPT PARTNERS; AND

**Council Bill 18-0293**

1 (4) ESTABLISH RATES AND CHARGES FOR THE PROVISION OF SERVICES TO EXEMPT  
2 PARTNERS.

3 (C) *DISTRICT MANAGEMENT COMMITTEE APPROVAL.*

4 THE ASSOCIATION MAY NOT ENTER INTO ANY PARTNERSHIPS OR AGREEMENTS PURSUANT  
5 TO THIS SECTION THAT REQUIRE THE EXPENDITURE OF DISTRICT FUNDS WITHOUT THE  
6 PRIOR APPROVAL OF THE DISTRICT MANAGEMENT COMMITTEE.

7 **§ 20-12. COLLECTION AND DISBURSEMENT.**

8 (A) *IN GENERAL.*

9 THE ASSOCIATION SHALL ESTABLISH WITH THE APPROPRIATE CITY AGENCIES THE  
10 METHODS BY WHICH THE DISTRICT SPECIAL ASSESSMENT IS TO BE PUBLISHED,  
11 COLLECTED, AND DISBURSED TO THE ASSOCIATION.

12 (B) *FUNDS NOT PART OF CITY REVENUE.*

13 EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AMOUNTS COLLECTED BY THE  
14 CITY ON BEHALF OF THE ASSOCIATION:

15 (1) MAY NOT BE INCLUDED IN THE REVENUES OF THE CITY;

16 (2) ARE NOT AND MAY NOT BE DEEMED TO BE SUBJECT TO THE BUDGETARY AND  
17 APPROPRIATION PROCESS; AND

18 (3) SHALL BE DISBURSED PROMPTLY ON COLLECTION.

19 (C) *CITY'S COST OF COLLECTING THE DISTRICT SPECIAL ASSESSMENT.*

20 THE CITY MAY RETAIN 1.5% OF THE AMOUNT OF DISTRICT SPECIAL ASSESSMENT  
21 COLLECTED TO COVER ITS COSTS RELATED TO COLLECTION, ASSESSMENT, DISBURSEMENT,  
22 RECORD-KEEPING, AND ENFORCEMENT OF THE DISTRICT SPECIAL ASSESSMENT.

23 (D) *DEPARTMENT OF FINANCE AUTHORIZED TO COLLECT.*

24 (1) THE DEPARTMENT OF FINANCE MAY COLLECT THE DISTRICT SPECIAL ASSESSMENT.

25 (2) THE ASSESSMENT FOR THE DISTRICT SPECIAL ASSESSMENT MAY BE INCLUDED AS A  
26 SEPARATE LINE ITEM ON THE CITY HOTEL TAX COLLECTION FORM.

27 (3) THE DEPARTMENT OF FINANCE SHALL MAKE REGULAR REMITTANCES OF THE AMOUNT  
28 COLLECTED TO THE ASSOCIATION WITHIN 60 DAYS OF RECEIPT. A RECORD OF ALL  
29 REMITTANCES PROVIDED TO THE ASSOCIATION SHALL BE PROVIDED TO THE DISTRICT  
30 MANAGEMENT COMMITTEE.

**Council Bill 18-0293**

1 (E) *PENALTIES AND INTEREST.*

2 THE PENALTIES AND INTEREST APPLICABLE TO DELINQUENT CITY HOTEL TAXES SHALL BE  
3 APPLIED TO DELINQUENCIES IN PAYMENT OF THE DISTRICT SPECIAL ASSESSMENT.

4 **§ 20-13. ADMINISTRATION OF THE DISTRICT.**

5 (A) *IN GENERAL.*

6 THE PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE ASSOCIATION IS RESPONSIBLE FOR  
7 THE DAY-TO-DAY OPERATIONS OF THE ASSOCIATION AND ITS EMPLOYEES AND  
8 CONTRACTORS.

9 (B) *POWERS.*

10 THE PRESIDENT AND CHIEF EXECUTIVE OFFICER MAY:

11 (1) PREPARE THE FINANCIAL PLAN FOR REVIEW AND APPROVAL BY THE DISTRICT  
12 MANAGEMENT COMMITTEE;

13 (2) IMPLEMENT THE APPROVED FINANCIAL PLAN AND ARRANGE FOR THE COLLECTION  
14 AND DISBURSEMENT OF THE DISTRICT SPECIAL ASSESSMENT AND ALL REVENUES  
15 OF THE ASSOCIATION;

16 (3) ESTABLISH PROCEDURES AND PROCESSES NECESSARY TO PERFORM THE FUNCTIONS  
17 CALLED FOR UNDER THE FINANCIAL PLAN AND THE BUDGET;

18 (4) HIRE AND RETAIN EMPLOYEES, AGENTS, AND CONTRACTORS AS NEEDED TO  
19 PERFORM THE PRESIDENT AND CHIEF EXECUTIVE OFFICER'S FUNCTIONS FOR THE  
20 ASSOCIATION;

21 (5) EXERCISE THE POWERS GRANTED TO THE ASSOCIATION BY THIS SUBTITLE, EXCEPT  
22 THAT THE DISTRICT MANAGEMENT COMMITTEE RETAINS FINAL DISCRETION AND  
23 POWER WITH REGARD TO ALL SUBSTANTIVE AGREEMENTS, CONTRACTS, AND  
24 OTHER ARRANGEMENTS BINDING ON THE ASSOCIATION RELATED TO DISTRICT  
25 FUNDS; AND

26 (6) EXERCISE THE ADDITIONAL RIGHTS, POWERS, AND AUTHORITY DELEGATED TO THE  
27 PRESIDENT AND CHIEF EXECUTIVE OFFICER BY THE DISTRICT MANAGEMENT  
28 COMMITTEE.

29 **§ 20-14. OVERSIGHT BY BOARD OF ESTIMATES.**

30 (A) *IN GENERAL.*

31 THE BOARD OF ESTIMATES HAS THE FOLLOWING POWERS WITH REGARD TO THE DISTRICT  
32 AND THE ASSOCIATION.

**Council Bill 18-0293**

1 (B) *FINANCIAL PLAN; DISTRICT SPECIAL ASSESSMENT RATES.*

2 (1) THE FINANCIAL PLAN AND THE DISTRICT SPECIAL ASSESSMENT RATE ARE SUBJECT TO  
3 THE APPROVAL BY THE BOARD OF ESTIMATES.

4 (2) THE DISTRICT MANAGEMENT COMMITTEE SHALL SUBMIT ALL MATERIALS AT LEAST 2  
5 MONTHS BEFORE THE PROPOSED EFFECTIVE DATE OF A BUDGET OR DISTRICT SPECIAL  
6 ASSESSMENT.

7 (3) IN CONSIDERING A PROPOSED BUDGET AND DISTRICT SPECIAL ASSESSMENT RATE, THE  
8 BOARD OF ESTIMATES MAY NOT EXCEED OR INCREASE EITHER THE BUDGET OR THE  
9 DISTRICT SPECIAL ASSESSMENT RATE BEYOND THOSE PROPOSED BY THE DISTRICT  
10 MANAGEMENT COMMITTEE.

11 (C) *BYLAWS.*

12 TO THE EXTENT REQUIRED BY THE ENABLING LEGISLATION, THE BOARD OF ESTIMATES  
13 SHALL APPROVE THE BYLAWS AND ANY PROPOSED AMENDMENTS OF THE DISTRICT  
14 MANAGEMENT COMMITTEE.

15 (D) *APPROVAL AND RENEWAL PROCESS.*

16 THE BOARD OF ESTIMATES IS THE FINAL ARBITER AND DECISION MAKER REGARDING THE  
17 APPROVAL AND RENEWAL PROCESS FOR THE DISTRICT.

18 **§ 20-15. PETITION PROCESS.**

19 (A) *PETITION.*

20 (1) THE DISTRICT SHALL BE APPROVED AND ESTABLISHED FOLLOWING A PETITION  
21 PROCESS, AS SET FORTH IN THIS SECTION.

22 (2) EACH PETITION SHALL INCLUDE:

23 (I) A SIGNATURE PAGE FOR ASSESSED BUSINESS OWNERS OR DULY AUTHORIZED  
24 REPRESENTATIVES TO SUBMIT THEIR WRITTEN APPROVAL FOR THE FORMATION OF  
25 THE DISTRICT;

26 (II) A MAP SHOWING THE BOUNDARIES OF THE DISTRICT; AND

27 (III) A BRIEF SUMMARY OF THE DETAILS OF THE PROPOSED DISTRICT.

28 (B) *APPROVAL.*

29 (1) PETITIONS, WITH A SIGNATURE OF ASSESSED BUSINESS OWNERS OR THEIR DULY  
30 AUTHORIZED REPRESENTATIVES, SHALL BE RETURNED TO THE BOARD OF ESTIMATES.

31 (2) THE BOARD OF ESTIMATES SHALL CERTIFY THAT THE DISTRICT IS APPROVED FOR  
32 FORMATION AND THE ASSOCIATION IS APPROVED AS THE DISTRICT'S ASSOCIATION, IF  
33 IT DETERMINES THAT:

**Council Bill 18-0293**

1 (I) 50% OF ALL ASSESSED BUSINESSES HAVE SUBMITTED PETITIONS IN FAVOR OF  
2 THE FORMATION OF THE DISTRICT; AND

3 (II) 50% OF THE TOTAL ROOM COUNT OF ALL ASSESSED BUSINESSES WITHIN THE  
4 DISTRICT HAVE SUBMITTED PETITIONS IN FAVOR OF THE FORMATION OF THE  
5 DISTRICT.

6 **§ 20-16. RENEWAL.**

7 (A) *GENERALLY.*

8 NO LATER THAN 10 YEARS AFTER THE ESTABLISHMENT OF THE DISTRICT, AND EVERY 10  
9 YEARS FOLLOWING, THE DISTRICT SHALL BE RENEWED.

10 (B) *RENEWAL PROCESS*

11 THE RENEWAL PROCESS SHALL FOLLOW THE PETITION PROCESS SET FORTH IN § 20-15 OF  
12 THIS SUBTITLE.

13 **§ 20-17. DISSOLUTION OF DISTRICT.**

14 (A) *IN GENERAL.*

15 IF THE DISTRICT IS NOT APPROVED AS PROVIDED IN § 20-15 OF THIS SUBTITLE, OR IS NOT  
16 RENEWED AS PROVIDED IN § 20-16 OF THIS SUBTITLE, THE ASSOCIATION SHALL CEASE ITS  
17 OPERATIONS RELATED TO THE DISTRICT, AND THE DISTRICT SHALL CEASE TO EXIST, AT  
18 THE END OF THE CITY'S FISCAL YEAR IN WHICH THE TERMINATING EVENT OCCURS.

19 (B) *DISSOLUTION BY PETITION.*

20 (1) DURING THE OPERATION OF THE DISTRICT, THERE SHALL BE A 30-DAY PERIOD EACH  
21 YEAR IN WHICH ASSESSED BUSINESS OWNERS MAY PETITION TO DISSOLVE THE  
22 DISTRICT.

23 (2) THE FIRST SUCH 30-DAY REQUEST PERIOD SHALL BEGIN ON THE SECOND ANNIVERSARY  
24 OF THE DATE OF ESTABLISHMENT OF THE DISTRICT. EACH SUCCESSIVE ANNIVERSARY  
25 OF SUCH DATE SHALL START THE SAME 30-DAY PERIOD IN WHICH DISSOLUTION MAY  
26 OCCUR.

27 (3) IN ORDER TO DISSOLVE THE DISTRICT, THE ASSESSED BUSINESS OWNERS SHALL  
28 FOLLOW A PETITION PROCESS MATCHING THE REQUIREMENTS SET FORTH IN § 20-  
29 15(A)(2) OF THIS SUBTITLE. PETITIONS, WITH SIGNATURES OF ASSESSED BUSINESS  
30 OWNERS OR THEIR DULY AUTHORIZED REPRESENTATIVES, SHALL BE RETURNED TO THE  
31 BOARD OF ESTIMATES.

32 (4) THE BOARD OF ESTIMATES SHALL CERTIFY THAT THE DISTRICT IS APPROVED FOR  
33 DISSOLUTION, IF THE BOARD OF ESTIMATES DETERMINES THAT AT LEAST:

34 (I) TWO-THIRDS OF ALL ASSESSED BUSINESSES WITHIN THE DISTRICT HAVE  
35 SUBMITTED PETITIONS IN FAVOR OF THE DISSOLUTION OF THE DISTRICT; AND

**Council Bill 18-0293**

1 (II) TWO-THIRDS OF THE TOTAL ROOM COUNT OF ALL ASSESSED BUSINESS WITHIN  
2 THE DISTRICT HAVE SUBMITTED PETITIONS IN FAVOR OF THE DISSOLUTION OF  
3 THE DISTRICT.

4 (5) UPON CERTIFICATION THAT THE DISTRICT IS APPROVED FOR DISSOLUTION, THE  
5 ASSOCIATION SHALL CEASE ITS OPERATIONS RELATED TO THE DISTRICT, AND THE  
6 DISTRICT SHALL CEASE TO EXIST, AT THE END OF THE CITY'S FISCAL YEAR IN WHICH  
7 THE CERTIFICATION OCCURS.

8 (C) *CONSIDERATION OF DISSOLUTION BY THE CITY COUNCIL.*

9 (1) IF THE CITY COUNCIL FINDS THAT THERE HAS BEEN A MISAPPROPRIATION OF FUNDS,  
10 MALFEASANCE, OR VIOLATION OF LAW IN CONNECTION WITH THE MANAGEMENT OF  
11 THE DISTRICT, THE CITY COUNCIL SHALL HOLD ONE OR MORE PUBLIC HEARINGS TO  
12 CONSIDER THE DISSOLUTION OF THE DISTRICT.

13 (2) AT THE CONCLUSION OF THE PUBLIC HEARINGS, THE CITY COUNCIL MAY DETERMINE  
14 WHETHER LEGISLATIVE ACTION IS NECESSARY TO DISSOLVE THE DISTRICT.

15 (D) *LIMITED CONTINUATION.*

16 IN THE EVENT OF DISTRICT DISSOLUTION DESCRIBED IN PARAGRAPHS (A) OR (B) OF THIS  
17 SECTION, THE DISTRICT MANAGEMENT COMMITTEE SHALL CONTINUE ITS EXISTENCE  
18 ONLY AS LONG AS NECESSARY TO:

19 (1) TERMINATE OPERATIONS RELATED TO THE DISTRICT IN A REASONABLE FASHION;  
20 AND

21 (2) ARRANGE FOR THE REFUNDING OF ALL FUNDS NOT NEEDED TO SATISFY  
22 OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND  
23 LIABILITIES.

24 (E) *UNSPENT FUNDS.*

25 ANY UNSPENT FUNDS SHALL BE REFUNDED TO THE ASSESSED BUSINESS OWNERS BY  
26 APPLYING THE SAME METHOD AND BASIS THAT WAS USED TO CALCULATE THE DISTRICT  
27 SPECIAL ASSESSMENTS THAT WERE LEVIED.

28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That all provisions of this Ordinance are  
29 severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection,  
30 section, or other provision is invalid or that the application of any part of the provision of any  
31 person or circumstance is invalid, the remaining provisions and the application of those  
32 provisions to other persons or circumstances are not affected by that decision.

33 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catch lines contained in this Ordinance  
34 are not law and may not be considered to have been enacted as a part of this or any prior  
35 Ordinance.

36 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
37 enacted.